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10 GEOGRAPHIC EXPEDITIONS, INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 GEOGRAPHIC EXPEDITIONS, INC.,

15 Petitioner,

16 v.

17 THE ESTATE OF JASON LHOTKA by ELENA
LHOTKA, executrix; and SANDRA MENELEE,

18 Respondents.
19

) Case No. 3:08-cv-04624-SI
)

) **STIPULATED JOINT REQUEST TO**
) **CONTINUE INITIAL CASE**
) **MANAGEMENT CONFERENCE AND**
) **ALL DEADLINES SET FORTH IN THE**
) **ORDER SETTING INITIAL CASE**
) **MANAGEMENT CONFERENCE AND**
) **ADR DEADLINES**
)

STIPULATED JOINT REQUEST

Pursuant to Civil Local Rules 6-2 and 7-12, petitioner Geographic Expedition, Inc. ("Petitioner") and respondents The Estate of Jason Lhotka and Sandra Menefee ("Respondents") by and through their respective counsel of record, stipulate as follows:

1. On October 6, 2008, Petitioner filed a Motion to Stay the State Court Action in favor of an arbitration provision in the parties' contract.

2. The Hearing on Petitioner's Motion to Stay the State Court Action took place on December 12, 2008, and the Court has taken Petitioner's motion under submission.

3. Pursuant to the Court's October 6, 2008 Order Setting Initial Case Management Conference and ADR Deadlines ("Initial Case Management Order"), December 19, 2008 is the last day to meet and confer regarding initial disclosures, early settlement, ADR process selection, and the parties' discovery plan.

4. December 19, 2008, is also the last day to file Stipulation to ADR Process or Notice of Need for an ADR Phone Conference.

5. The Initial Case Management Order also provides that parties must file Rule 26(f) Report, complete initial disclosures, and file a Case Management Statement by January 2, 2009.

6. The Initial Case Management Conference is set for January 9, 2009.

7. The Court has not yet issued an order on Petitioner's Motion to Stay the State Court Action.

8. The parties have met and conferred and agree to continue the Initial Case Management Conference and all other deadlines set forth in the Initial Case Management Order until after such time as the Court issues an order on Petitioner's Motion to Stay the State Court Action.

NOW, THEREFORE, THE PARTIES, BY AND THROUGH THEIR RESPECTIVE COUNSEL OF RECORD, STIPULATE AND JOINTLY REQUEST THAT:

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1 The Court continue the Initial Case Management Conference currently scheduled for
2 January 9, 2009, and all other deadlines set forth in the Court's Initial Case Management Order
3 until after the Court issues an order on Petitioner's Motion to Stay the Court Action.

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5 Dated: December 19, 2008

RUBIN, HAY & GOULD, P.C.

6
7 By: 

RODNEY E. GOULD
Attorneys for defendant GEOGRAPHIC
EXPEDITIONS, INC.

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9
10 Dated: December 19, 2008

WALSWORTH, FRANKLIN, BEVINS & McCALL, LLP

11
12 By: 

LAURIE E. SHERWOOD
Attorneys for Defendant GEOGRAPHIC
EXPEDITIONS, INC.

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14
15 Dated: December 19, 2008

LAW OFFICES OF DAVID J. BENNION

16
17 By: 

DAVID J. BENNION
Attorneys for Plaintiffs THE ESTATE OF JASON
LHOTKA by ELENA LHOTKA, executrix;
ELENA LHOTKA; NICHOLAS LHOTKA, by his
guardian ad litem, ELENA LHOTKA; and
SANDRA MENEFFEE

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21 **ORDER**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED. The Initial Case Management
23 Conference and all deadlines set forth in the Court's Order Setting Initial Case Management
24 Conference and ADR Deadlines shall be continued pending the Court's Order on Petitioner's
25 Motion to Stay the State Action.

26 Dated:

27 The case management conference has
28 been continued to 2/27/09



The Honorable Susan Illston